

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: Bair Hugger Forced Air Warming
Devices Products Liability Litigation

MDL No. 15-2666 (JNE/DTS)

This Document Relates to:
ALL CASES

**THIRD DECLARATION OF
BENJAMIN W. HULSE IN
SUPPORT OF DEFENDANTS'
MOTION FOR
RECONSIDERATION OF THE
COURT'S DECEMBER 13, 2017
ORDER ON GENERAL
CAUSATION**

Benjamin W. Hulse, being first duly sworn, deposes and declares:

I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company and Arizant Healthcare Inc. (together, "Defendants") in this litigation. I submit this declaration in support of Defendants' Motion For Reconsideration of the Court's December 13, 2017 Order on General Causation. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

1. Attached as Defendants' Exhibit DX20 is a true and correct copy of the FDA October 13, 2016 Safety Communication regarding heater-cooler devices.

2. Attached as Defendants' Exhibit DX21 is a true and correct copy of an excerpt of the deposition of Dr. William Jarvis, taken February 19, 2019 in the case of *Ada Trombley v. 3M Co.*, No. 16-cv-4159.

3. Attached as Defendants' Exhibit DX22 is a true and correct copy of an excerpt of the deposition of Dr. William Jarvis, taken January 12, 2018 in the case of *Louis Gareis, et al. v. 3M Co., et al.*, No. 16-cv-4187.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 16th day of May, 2019.

s/Benjamin W. Hulse
Benjamin W. Hulse